

Inverness Homeowners' Association

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Board Meeting – June 22, 2023

The Inverness Board of Directors met at President Dave Hemphill's residence at 5:30. Members present were Kent Nesvik, Dan Rowe, Rock Penfold, Tim Fox, Mike Krieger, Dave Hemphill, and Dawn McLin. Monica Moore was unable to attend. The Board was joined by two residents to participate in discussion of the second topic below.

Items of discussion were:

1. Covenants Rewrite

As previously discussed, this is a major undertaking. Board members have completed individual reviews of the covenants and their suggestions for specific content changes have been compiled into a first draft. However, as the covenants date back to the initial development of Inverness by First Mutual Savings Association, there is a lot of associated content that is no longer relevant to the built-out subdivision. The Board agreed a proper next step is to employ legal counsel to assist in revisions/deletions related to outdated and unnecessary boilerplate and "legalese" provisions, as well as current and recommended content which may be contrary to Florida state and city regulations, e.g., prohibitions on short-term rentals and landscaping requirements. Following the legal counsel input, the Board will perform another review regarding specific content and, hopefully, draft proposed new covenants to present to the HOA members (homeowners) for consideration/comment. Eventually, individual homeowners would opt into the new covenants or remain with the old. Thus, a complete transition from old to new could take years, but eventually all would be moved.

2. Covenant/City Code Enforcement -

2731 Semoran Drive – the Board addressed the unfinished garage issue resulting from the Banks Construction bankruptcy/litigation, with a February 20, 2023 letter requesting remedial action. Concurrently, the homeowner faced a third hearing March 7 in front of the Special Magistrate at the City's Code Enforcement Board to address the violation. The Board attended the hearing and presented the HOA's concerns regarding this long ongoing problem. The homeowner did not appear and the Special Magistrate directed the homeowner to bring the garage construction into compliance, enforced by a \$25/day fine until completion. To date, the homeowner has not taken action to correct the violation. The Board has received a multitude of complaints from HOA members, many unaware of prior efforts, petitioning for action. In addition, two resident members joined the meeting to provide input on their personal impact and to plead for help. Not only is the subject residence in violation of city code and HOA covenants, but has become, in their experience, a major public nuisance. They cited many incidents of loud, vulgar, late-night, outdoor gatherings of non-residents, and reported/documented city police visits, including dealing with gun display and gunshots.

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Given the need for legal counsel in the covenants rewrite addressed in 1. above, and the complexities of a resolution to the covenant/code enforcement violation addressed in 2., the Board voted to initiate legal services with the Emmanuel Sheppard & Condon law firm. The extent of the services will be determined based on initial discussions with, and recommendations from, firm representatives regarding the issues.

The meeting adjourned at 6:45.